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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,761	05/16/2001	Po-Sheng Shih	SUND 201	8874

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WASHINGTON, DC 20005

EXAMINER

ABDULSELAM, ABBAS I

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 08/07/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/855,761

Applicant(s)

PO-SHENG SHIH

Examiner

Abbas I Abdulsalam

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on 05/21/03 have been fully considered but they are not persuasive.

Applicant argues that Kotani et al. (USPN 6101536) and Saxena et al. (USPN 6259449) do not teach the function selection panel for entering signals by the user. Applicant also argues that the cited references do not address claims 10 and 13-14. However, as shown in the art rejection below, Saxena teaches option buttons (Fig. 4) including a dial option (432) allowing the user to initiate telephone call, create email button (438) providing access to the email application and other buttons (434, 436, 438) with specific functions. See col. 9, lines 20-49. It would have been obvious to utilize the buttons to enter the desired transmission signals. In regard to claim 10, Kotani teaches the use and method of storing in a memory medium including the use of an optical disk. See col. 15, lines 9-18. It would have been obvious that an optical disk can be functionally equivalent to a computer readable card such as PCMCIA. In regards to claims 13-14, Kotani teaches the camera panel (640) in conjunction with the image receiving software (412) receiving the data of a captured frame in the form of divided packets. See col. 6, lines 1-14 and Fig. 8. It would have been obvious that the camera along with image receiving software involves processing with respect to photographing.

2. In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so

Art Unit: 2674

long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kotani et al. (USPN 6101536) in view of Saxena et al. (USPN 6259449).

Regarding claims 1, 15 and 18, Kotani teaches the image transmitting terminal used as image signal generating device which serves to receive a video camera control signal to control the camera and to execute the signal for transmission to a network through which transmission of an image to a remote monitoring takes place (col. 3, lines 9-18 and 63-66). Specifically, Kotani discloses the use of network (100) with respect to the monitoring terminal (60) transmitting control signals to the image-transmitting terminal (20). Kotani also teaches the monitoring terminal and transmitting terminal contain a software (410) and multiple softwares respectively (col. 4, lines 1-5, 32-36, Fig 1 & Fig 2). Kotani further discloses the image receiving software (412) for displaying the image data transmitted in a packet format from the image transmitting terminal, and a map management software (413) having graphic user interface (col. 4, lines 32-

Art Unit: 2674

45 and Fig 2). Kotani teaches that the image transmission is made by a request from the image receiving software (412) to the image transmitting software (422), which in turn transmits the requested data (col. 6, lines 7-14). In addition Kotani teaches the monitoring terminal (60) with respect to memory (124, 125 126) as well as various method of storing the data (col. 15, lines 9-19 & Fig 1). However, Kotani does not disclose the use of a function selection panel with multiple keypads and transmission interface through which image signals are received. Saxena on the other hand teaches user interface including keypads (420) displaying alphanumeric keys, and the use of a Universal Serial Bus (USB) both applicable to integrated communication center. See Fig 4 and col. 5, lines 32-45.

Therefore, it would have been obvious to one having skill in the art at the time the invention was made to modify Kotani's communication apparatus to include Saxena's keypad configuration along with the use of Universal Serial Bus (USB). One would have been motivated in view of the suggestion in Saxena that the use of keypads as used in the Saxena's user interface (Fig 4) along with USB are functionally equivalent to the desired function selection panel and transmission interface respectively. The use of keypads and USB helps function integrated communication system as taught by Saxena.

In addition, Saxena teaches option buttons (Fig. 4) including a dial option (432) allowing the user to initiate a telephone call, create email button (438) providing access to the email application and other buttons (434, 436, 438) with specific functions. See col. 9, lines 20-49 and Fig. 4. It would have been obvious to utilize the buttons to enter the desired transmission signals.

Regarding claim 2, see Saxena's Fig 4 (420).

Art Unit: 2674

Regarding claims 3, 6 and 8, Kotani teaches a network (100) along with image transmitting terminal (20). See Fig. 1.

Regarding claims 4,16 and 19, Saxena teaches the use of network (110) in terms if the Internet, LAN and WAN. See col. 3, lines 34-41.

Regarding claims 5 and 7, Saxena teaches the communication programs applicable for a speakerphone, videophone, and answering machine. See col. 1, lines 62-65.

Regarding claims 9 and 11, Saxena teaches the use of a Universal Serial Bus (USB). See col. 5, lines 32-45.

Regarding claim 10, Kotani teaches the use and method of storing in a memory medium including optical disk, and non-volatile memory card. See col. 15, lines 9-18. It would have been obvious that the use of optical disk can be functionally equivalent to a computer readable card such as PCMCIA.

Regarding claim 12, Kotani teaches the state of the display when grouping of icons is displayed as shown in Fig 13.

Regarding claims 13-14, Kotani the camera control panel (640) in conjunction with the image receiving software (412) receiving the data of a captured frame in the from of divided packets See col. 6, lines 1-14 and Fig 8. It would have been obvious the camera along with image receiving software involves processing with respect photographing.

Regarding claims 17 and 20, Saxena teaches an integrated communication center user interface with extended message panel including the use of option buttons such as dial (432) and quick fax (436). See Fig. 5.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2674

5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to **Abbas Abdulsalam** whose telephone number is **(703) 305-8591**. The examiner can normally be reached on Monday through Friday (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard Hjerpe**, can be reached at **(703) 305-4709**.

Any response to this action should be mailed to:

Commissioner of patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314

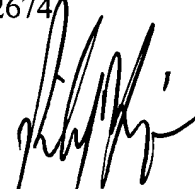
Hand delivered responses should be brought to Crystal Park II, Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology center 2600 customer Service office whose telephone number is (703) 306-0377.

Abbas Abdulsalam

Examiner

Art Unit 2674



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600